

QUESTIONS OF LABOR ABLY DISCUSSED

The Hon. R. A. Maynard Writes a Comprehensive and Trenchant Paper Bristling With Facts

ON THE CONDITION OF LABOR, PAST, PRESENT AND FUTURE

His Researches Into the History of the Wage System and the Earliest Hardships and Trials of Wage Workers—Our Own System Examined, and Pronounced Opinions Expressed on the Inevitable Future.

Before the Unity club last Tuesday evening the Hon. R. A. Maynard read the following exhaustive and critical review of the labor question:

We do not here speak of labor under compulsory conditions, such as slavery or serfdom, but of free labor, or the labor of persons having the primary right to determine whether they will labor or not, and to fix the compensation and other conditions under which they will exercise such right. Our article, dealing as it does with freedom to work for a pecuniary consideration, a right conceded only after ages of struggle often barbarous and bloody, must necessarily be introduced by a brief retrospective view of the past condition of labor whether bond or free.

Michigan, in reality, hardly possesses a "labor law history." Rich in minerals and agricultural wealth, sparse in population, and young in political organization, she has just begun to feel the effects of pressure upon the means of subsistence, and the consequent and inevitable struggle between those that have and those that have not. Labor legislation in this state goes back scarcely a decade. We believe we are right in saying that not until the rise of the organization known as the Knights of Labor in Detroit in 1883, can we be said to have had anything upon the statute books of Michigan as the result of purely labor agitation. As it is the labor laws are few, and none are of any great importance.

Labor the Common Lot.
Until comparatively recent times, compulsory personal service or serfdom appears to have been the common lot of the greater portion of the human race, not only of the class denominated "manual laborers," but largely also of those persons skilled in the higher branches of knowledge. The simple wish to use the bodily powers of another person," says Sir Henry Maine, "as a means of ministering to one's own ease or pleasure is doubtless the foundation of slavery and as old as human nature."

In ancient Egypt a shocking picture of life in the mines and stone quarries is given by Diodorus Siculus. "The soil," he says, "naturally black, is traversed with veins of marble of excessive whiteness, surpassing in brilliancy the most shining substances; out of which the miners dig out the stone to be dug by the labor of a vast multitude of people; for the kings of Egypt tend to the mines notorious criminals, prisoners of war, persons convicted by false accusations or the victims of resentment. And not only the individuals themselves, but the stonecutters, their whole families are doomed to this labor, with a view of punishing the guilty and profiting by their toil."

Work Without Intermission.
"The vast numbers employed in these mines are bound in fetters, and compelled to work day and night without intermission, and without the least hope of escape. The stonecutters, and the kindred feelings which result from familiar converse. When the earth containing the gold is hard they soften it by the application of fire and when it has been reduced to such a state that it yields to moderate labor, several thousands of these unfortunate people pick it up with iron picks. Over the whole work presides an engineer, who waxes and selects the stone, and points out to the laborers the place where they are to work. The stonecutters, armed with iron chisels, cleave the marble-shining rock by mere force, without any attempt at skill; and in excavating the shafts below the ground they follow the direction of the shining stratum without keeping a straight line. In one place the shafts are so windings they resemble ladders to their foreheads, having their bodies painted, sometimes of one and sometimes of another color, according to the nature of the rock, and as they cut the stone, it falls in masses on the floor, the overseers urging them to work with commands and blows. They are followed by little boys, who take away the fragments as they fall, and carry them out into the open air."

Their Nakedness Uncovered.
"Those who are above thirty years of age are employed to pound pieces of stone of certain dimensions with iron pestles in stone mortars, until reduced to the size of a lentil. It is then transferred to women and old men, who put into mills arranged in a long row, two or three persons being employed at the same mill, and it is ground until reduced to a fine powder. No attention is paid to their persons. They have not even a piece of rag to cover themselves, and so watched in their condition that everyone who witnesses it deprecates the excessive misery they endure. No rest, no intermission from toil, are given to the sick or maimed. Neither the weakness of age nor women's infirmities are regarded. All are driven to their work with the lash all at last, overcome with the intolerable weight of their afflictions, they die in the midst of their toil. So that these unhappy creatures always expect death to come, and that they endure it with a calm and long for death as far preferable to life."

Normal Condition of Labor.
This was the condition of what would now be called "convict labor," but let us now what was the condition of labor under normal conditions, and among nations and laborers resting under no evil or criminal disability.

Polycrany was authorized by law. Men of the lower classes had but one wife, frequently their own sister or a near relative. The men were rarely at home during the day, and although the Egyptian was stubborn, sluggish

and somewhat obtuse in feeling, the family was united and loving. The artisan usually left at sunrise barefooted and bareheaded, or merely wearing an old felt cap fitting tightly to the skull, his only covering for the body being a pair of cotton drawers just reaching below the hips. His food consisted of a little dried fish, one or two onions, two cakes of dough, and a little oil in which to moisten his bread. At noon he stopped to eat and sleep for an hour or two, then resumed work until sunset. One of the poets thus describes the life of an Egyptian blacksmith and other mechanics about 2000 B. C.

No Rest From Onerous Tasks.
"I have seen the blacksmith at his work in the heat of his forge. He has the fingers of a crocodile, and is black as a fisherman. The artisans of all kinds that handle the chisel, have they more rest than the peasant? Their fields are the wood they shape, their profession is the metal. Even in the night they are called to their work again after their labor of the day. Even in the night their house is lighted up and they are awake. The stonemason seeks his work in every kind of hard stone. When he has completed his orders and his hands are tired, does he rest? He must be in the workshop at sunrise, even if his knees and spine break with toil. To be able to eat, to be able to lie down, he must go from district to district searching for customers. He must overwork himself, as well as his two hands, to fill his belly. Thus the honey is eaten only by those who make it. The fingers of the dyer stink with the odor of decayed fish, his two eyes ache with weariness, his hand never ceases renewing pieces of stuff until he feels the sight of stuff. The shoemaker is very miserable, and is forever complaining. His health is like that of a dead fish, and he has nothing to eat but his leather."

Goaded by the Rod.
The wages of the Egyptian workmen were laboriously earned, and barely sufficed to keep body and soul together. Wages were almost always paid in kind, and consisted of corn, salt provisions, a few measures of oil, and on holidays one or two jars of wine. The workmen were goaded to renewed energy by the application of the taskmaster's rod. "Man has a back, and only obeys when it is beaten," says an old Egyptian proverb. Non-exempt from the beggar at the gate to the highest minister, in the presence of the divine Pharaoh. All civil, industrial and military administration was carried on under the application and direction of the Pharaoh. So complete was his authority, that the social life of the ancient Egyptian, that a person who had never been beaten before a magistrate was regarded as a most exceptional being, and the fact as worthy of being recorded upon his tomb. Were we not assured by the Egyptian that the Egyptian must have been given to pessimistic speculations and that his temperament was sorrowful and morose. Such, however, was not the case. "The workman, resigned before hand, patiently laboring under the lash, and without a murmur, with his finger, a comrade sleeping over his task, whom the overseer lashes to awaken him, an ass suddenly braying in the quiet street outside—anything serves as a pretext for amusement. Laugh breaks the silence, then the stonemason, the carpenter, the painter, the bricklayer, the stick vandy interferences, at least an hour elapses before quiet is re-established."

Outbreaks Against Tyranny.
The Egyptian, however, was not altogether an abject creature, crouching in slavish submission under the rod of the taskmaster. Occasional outbreaks against the tyranny of a superintending overseer were far from uncommon. Even the industrial strike for higher pay, regarded by us as a social phenomenon peculiar to the nineteenth century, was well known to Egyptian mechanics and laborers, and occasionally resorted to with success. Maspero, the distinguished French Egyptologist, thus described what is probably the earliest recorded strike in all history. It may be assigned to a period about 2000 before the Christian era.

"Suddenly a great noise is heard at one end of the street, the crowd is violently opened, and about a hundred workmen, shouting, gesticulating, their bodies and faces covered with clay and mortar, force their way through, dragging in the midst of them three or four fractious, pious-looking slaves. These are the mechanics employed in the new buildings of the temple of Mut, who have just come on strike, and are now on their way to lay their grievances before Parou, the count-governor of the city and general superintendent of the great works. These small riots are not rare; they spring from hunger and misery. As we know, the greater portion of the wages consist of wheat, dough, oil and ration of food, which the masters necessarily distribute on the first day of every month, and which ought to last until the first of the month following."

Quantity and Quality.
The quantity allotted to each man would certainly suffice if it were economically used; but what is the use of preaching economy to people who reach some in a famished condition

after a day of hard work in which they have only eaten two cakes, seasoned with a little muddy water, about 12 o'clock? During the first days of the month the family satisfy their hunger without sparing the provisions; towards the middle the portions diminish and complaints begin; during the last week of the month the work suffers. If we consult the official registers of the scribes in the workshops, or simply the books of the overseers, we shall find notes in the end of each month of frequent idleness, and, at times, of strikes produced by the weakness and hunger of the workmen.

"On the 10th of last month the men employed at the temple of Mut, having nothing left, rushed to the Pharaoh in a tumult, went to a chapel of Theotmes III, which stands near, and sat behind it, saying: 'We are hungry, and there are still eighteen days before next month.' Is their pay insufficient, or have they stolen their supplies unreasonably quickly?"

Robbed by their Scribes.
"According to their own account, the scribes gave them short measure and enriched themselves by the robbery. On the other hand, the scribes accuse the poor fellows of improvidence and assert that they squander their wages as soon as they receive them. No one could be satisfied if both scribes and masons were found to be correct. The malcontents were scarcely outside when the superintendent of the works hastened up, accompanied by a police officer, and began to parley with them. 'Go back and we solemnly swear that we will ourselves lead you to Pharaoh when he comes to inspect the works of the temple.' Two days later Pharaoh came, and the scribe Pen-tor went to him with the police officer. The prince, after listening to one of the scribes, and some of the priests of the temple, to have an interview with the workmen. The latter presented their request in excellent terms. 'We come, pursued by hunger, pursued by thirst, we have no more clothes, no more oil, no more fish or vegetables. Tell this to Pharaoh, our master, tell this to Parou, our sovereign, that we may receive the means of living.' Pharaoh, touched by their misery, ordered fifty sacks of corn to be distributed amongst them, and this unexpected windfall enabled them to wait the end of the month without too much suffering."

Demand to Be Heard.
"The first days of Ehiphi passed fairly quietly, but on the 15th the provisions fell short and the discontent recommenced. On the 16th the men stopped work and remained idle on the 17th and 18th. On the 19th the men endeavored to leave the workshop in the morning, but the scribe Parou, who had overlooked them, had secretly doubled the guard and had taken his precautions so wisely that the workmen could not get outside the gates. They passed the whole day consulting and plotting together in small groups. At last, in the evening, they assembled at the foot of an unfinished wall, and seeing the superintendent of the works coming to make his rounds, they rushed toward him any surrounding him, making a great noise. They said, 'The foreign gods are deserting us, we will not be beaten any more. You can tell this to your superiors, who are assembled there.' At last, tired of protesting and obtaining nothing, they suddenly decided to go to the governor of Thebes and to appeal to him for justice. The scribe Parou, not great between the temple of Mut and the house of Parou; ten minutes' walk through the streets, not without exchanging some blows with the crowd, which did not make way quickly enough, and the rioters have reached the gate."

Before the Granaries.
"It opens in a long, low, translated wall, above which a large cacia lifts its leafy head and gives access to a large courtyard surrounded with buildings. On the left stands the master's dwelling, built of freestone; it is narrow and bare, consisting of a rather high ground floor, a room for the master and his family, and a terrace; in the center are two granaries for corn, rounded at the top; on the extreme right is a large vaulted cellar. The door-keeper had put up the safety bars at the first noise, but the swing-doors yielded under the strong pressure of the crowd. The whole band, simultaneous, enters the courtyard and waits there a little uncertain what to do next. However, Parou hurries forward, and his appearance alone suffices to impress the men trained from infancy to bow before a master. 'If a man ever decides to speak,' the others applaud, 'timid as I am, then they become excited at the tale of their sufferings. They refuse to listen when the governor endeavors to soothe them with promises. Words are no longer sufficient, they clamor loudly for the rod, and the overseer gives them some corn in addition to their distribution already made.' If not, we will not move from here.' At this moment a slave makes his way through the crowd and softly warns Parou that Pharaoh left the palace a quarter of an hour ago, that he is going towards the temple of Amen, and will pass the house. In fact he has already reached the neighborhood."

Pharaoh Steps a Riot.
"Pharaoh coming upon a riot. Pharaoh himself hearing the workmen's complaint, Parou rapidly decides upon his movements, and, interrupting the discussion, calls his steward. 'See how much corn there is in the granaries and give it to the men.' Then, turning to the others, 'Go at once to the granaries with the steward and take what he gives you.' The crowd, not knowing the motive of this sudden decision, attributes it to an impulse of natural generosity and loudly expresses its thanks and praises. 'Thou art our father, and we are thy sons. Thou art the old man's staff, the nurse of children, the helper of the distressed. Thou art a warm shelter for all who are cold in Thebes. Thou art the head of the afflicted, that never fails the people of our land.' There is a profusion of thanks and gratitude. Parou cuts these protestations short and hastens the departure of the men, and does not breathe freely until the last of the granaries has disappeared behind the wall, and the steward has five minutes the court is empty and the street has resumed its usual appearance. Pharaoh may come." Such was an Egyptian strike 4000 years ago.

Chained and Beaten.
In ancient Chaldea and the city of Babylon the great canals, public roads, royal palaces, public buildings, and levees, were mainly constructed by prisoners of war.

Assyria possessed in its military organization, the finest war mechanism which the ancient world up to the time of which we speak had ever seen. One of the kings returned to Nineveh with 208,000 prisoners of war, all of whom were immediately set to work for their conquerors.

The cities, roads, colossal palaces and temples of Persepolis, Paargade and elsewhere were built under the orders of an absolute monarch, chiefly by prisoners of war. The most horrible tortures were inflicted for any infraction of the law. The curious reader may find full details in the pages of Rawlinson.

The condition of labor among the Jews was, perhaps, the best in the ancient world of the east. Slavery was recognized, men and women being openly held in the most degrading and brutal manner, but they were free at the recurrence of the year of jubilee.

The conditions of labor in China were similar to those of surrounding nations. Some curious details are given in the Shu-king, or Book of History, compiled by Confucius, but as the details relate mostly to penal institutions, they will not detain us here.

What is known of the condition of labor is classical antiquity is easily obtainable and fairly well known. It will suffice to say that in Greece all labor was performed by slaves. Slavery was a recognized institution under all forms of government. The conditions of labor in Rome, whether under the republic or the empire, did not differ much from those in Athens.

Christianity and Labor.
The introduction of Christianity brought no relief to the millions doomed to labor in suffering and tribulation, and abolition have never been adopted as a part of its creed. Christianity has always been essentially pessimistic. Man's life upon earth was regarded as a painful pilgrimage from the life that is to the life that is to come. The great end of life, the reward in the celestial life to come, from being a little band with lofty ethical sanctions, of whom it was said, 'Behold how these Christians love one another,' it degenerated into an all-devouring system of selfishness, striving with temporal rulers for universal political supremacy. Whatever of power it possessed to humanize and morally regenerate had passed away in the struggle for political usurpation.

From the introduction of Christianity to the time of the Renaissance, the rise of the physical sciences, and the commencement of the present century, the condition of labor is, indeed, horrible. One bright gleam, however, should not pass unnoticed before we quit this introductory and glance at labor laws as a species of class legislation.

Rome From Domitian to Commodus.
We refer to the four score years which elapsed from the death of Domitian to the commencement of the reign of the Commodus. Speaking of this period, the historian of the decline and fall of the Roman empire, says: 'The vast extent of the Roman empire was governed by absolute power, under the guidance of virtue and wisdom. The armies were restrained by the firm but gentle hand of four successive emperors, whose characters and authority commanded in the most perfect manner the obedience of the provinces. The civil administration was carefully preserved by Nerva, Trajan, Hadrian, and the Antonines, who delighted in the image of liberty, and were pleased with considering themselves as the accountable ministers of the law. Such princes devoted the whole of their reign to the public, had the Romans of their day been capable enjoying a rational freedom. They beheld the general happiness of which they were the authors.'

Earliest Labor Legislation.
We will now briefly pass in review the labor legislation in England, omitting the details of the various acts of the labor during the Dark Ages.

In the great compact of English political liberty, known as Magna Charta, the laborer was not deemed worthy of any particular notice. The provisions against forced construction of roads, bridges, etc., did not apply to him, but were a relief of the higher classes. The first piece of direct labor legislation was enacted in the third year of Edward III. This is commonly known as the Statute of Laborers. The black death had swept over England and a great scarcity of laborers. A demand for higher wages necessarily followed. Its provisions were as follows:

Statute of Laborers.
1. No person under 60 years of age, whether serf or free, shall decline to undertake farm labor at the wages which had been customary in the king's twentieth year (1347), except he live by some mechanical craft, or be possessed of private means, or was the conqueror of land. The lord was to have first claim to the labor of his serfs, and those who declined to work for him or for others are to be sent to the common gaol.

2. Imprisonment is decreed against all persons who may quit the service before the time which is fixed in their agreements.

3. No other than the old wages are to be given, and the remedy against those who seek to get more is to be brought in the lord's court.

4. Lords of manors paying more than the customary amount are to be liable to triple damages.

5. Artificers are to be liable to the same conditions, the artificers enumerated being saddlers, tanners, farrars, shoemakers, tailors, smiths, carpenters, masons, tilers, pargetters, carvers, and others.

6. Food must be sold at reasonable prices.

7. Alms are strictly forbidden to able-bodied laborers.

8. Any excess of wages taken or paid can be seized for the king's use towards the payment of a fifteenth and tenth later granted. The statute provides for a difference between summer and winter wages, and guards against the migration of the town population to country places in summer.

Another Labor Statute.
Another statute passed two years later (13 Edw III) reaffirms the previous one, and minutely regulates wages. Again in 1369 (14 Edw III) the former Statute of Laborers was confirmed.

It further provides that any lords of towns might imprison any laborer or mechanic for fifteen days if he refused to comply with the law, and then send him to the next jail, "there to abide without bail till he will do so according to the statute." All alliances and unions between artificers of whatever kind are to be broken up, "and shall from henceforth be void and wholly annulled." A workman absenting himself without leave might be brought back and imprisoned, and branded on the forehead with the letter 'P' in token of the felony. Press gangs, about this time, frequently seized the workman for service upon the royal palaces and public buildings. In 1385 (4 Edward III) the statute and ordinance concerning laborers was again confirmed.

Early Instance of Child Labor.
By an act of Richard II (1385, 12 Richard II) neither laborer or servant could leave the hundred in which he resided without letters patent under the king's seal. This act also affords us a glimpse of child labor. "It is ordained and assented that he and she who teach to labor or to the plough, or cart, or other labor or services of husbandry, till they be of the age of 12 years, shall from henceforth abide at the said labor without being put to any trade or handicraft, and if any covenant or bond of apprenticeship be from henceforth made to the contrary, the same shall be holden for none." An act of the following year (13 Richard II) directed justices to proclaim the rate of wages for laborers from Easter to Michaelmas. An act of Henry IV requires a property qualification for apprenticeship, and that children be put to such labor as their fathers and mothers are of, on penalty of fine and ransom and of one hundred shilling for receiving such apprentices. There is a noticeable feature in this statute in relation to the schooling of children. It says that "any person who send their children to school to learn literature."

Fee in Defense of Law.
The same statute imposes a penalty upon towns and cities which neglect to provide stocks for holding refractory workmen.

An act of 1414 (2 Henry V) recites that owing to the laxity of justices in enforcing the laws against laborers fleeing from county to county in defiance of the law. The previous acts were confirmed, and justices of the peace are empowered to issue writs to the sheriffs for fugitive workmen in like manner as they have power to send to the sheriffs for the apprehension of criminals before indictment. Early in the following reign power was given to magistrates to compel by process the attendance of masters as witnesses in the enforcement of the statute of Henry V, and to give offenders a month's imprisonment. This power was confirmed by Henry VI, 1423. In 1427, four years later, further legislation was resorted to in regard to the statutes of Richard II—that of 12 Richard II, because it was too hard upon the masters, that of 13 Richard II, because no penalty was attached to its breach. The 6 Henry VI, c. 3, remedied the supposed defects and directed the justices to fix the rate of wages and then proclaim the same. The statute 3 Henry VI made it felony, punishable by fine and imprisonment, for masters assembling together and discussing matters relating to wages and the law.

Later Conspiracy Law.
It recited that "by the annual congregations and conferences made by masters in their general chapters assembled, the good courses and effect of the statute of laborers are publicly violated and broken, in subversion of the law, and grievous damage of all commonwealth. In the year 1444 (23 Henry V) a scale of wages in agriculture and trade was fixed. An agricultural laborer must give his master half a year's notice before leaving; neglect to do this involved service for the following year with the same master. Persons refusing to serve under these conditions were committed to prison. The statute 11 Henry VI, enacted towards the close of the fifteenth century (1495), is remarkable as containing a clause against unlawful combinations of workmen engaged in the building trade. It says that laborers or artificers "make or cause to be made any assembly to assault, harm or hurt any person assigned to control or oversee them in their working, that he or they so offending have imprisonment for a year without letting to bail or mainprize, and further to make fine at the king's will."

Laws Against Vagrancy.
We may here refer to the savage and bloodthirsty vagrancy in the latter part of the sixteenth century. The suppression of the monasteries had withdrawn a partial support from thousands of the indigent, idle or wretched. The scattering of this great body of men throughout the kingdom was not unattended with danger. As trade, commerce was to be legislation as a remedy, but the lash, the branding iron, or the gallows was powerless in the face of poverty and misery to repress the "valiant beggars and force them into some settled course of obtaining an honest livelihood. Under Henry VIII, Edward VI, the Elizabeth, harsh and cruel measures were passed for the suppression of offenses, which now-a-days would be clearly perceived to be economic in origin and amenable to economic treatment. Laws multiplied and became more harsh and bloody as they multiplied, until a veritable reign of terror was inaugurated under Henry VIII; but the infliction of the death penalty because of such frequent occurrence that it soon ceased to strike terror to hearts of those that witnessed it. In the reign of Henry VIII, Edward VI, the Elizabeth, harsh and cruel measures were passed for the suppression of offenses, which now-a-days would be clearly perceived to be economic in origin and amenable to economic treatment. Laws multiplied and became more harsh and bloody as they multiplied, until a veritable reign of terror was inaugurated under Henry VIII; but the infliction of the death penalty because of such frequent occurrence that it soon ceased to strike terror to hearts of those that witnessed it. 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